

REMARKS

This response is being filed after a discussion with Examiner Robyn Doan on December 3, 2008.

Claims 1, 3, 4 and 7 are being rejected under 35 U.S.C. 112. In the previously final rejection, Claim 1 was allowed and Claim 6 was objected to. Claims 3 and 4 were rejected as being dependent upon a rejected main claim but are now dependant on Claim 1. Claim 6 was deemed allowable if rewritten in independent form as Claim 7. Claims 1-6 had been rejected under 35 U.S.C. 112 in an earlier action but that rejection was dropped and has now been resurrected.

In the new 35 U.S.C. 112 rejection, the Examiner states that Claims 1 and 7 are indefinite because they recite:

“a detachable wig portion mounted over the opening and affixed to the main wig portion to be removable permitting natural hair to extend therethrough creating a natural hairline.”

The Examiner contends that in the specification, page 3, paragraph 11, it is understood that when the detachable wig portion is mounted on the opening, the natural hair may not be pulled through the opening, the opening has been covered with the detachable wig portion. This is correct but going further the Examiner states that the claims state that when the detachable wig portion is mounted over the opening, it permits natural hair to extend therethrough. This is not what Claims 1 and 7 state:

CLAIM 1*—a detachable wig portion mounted over the opening and affixed to the main wig portion to be removable permitting natural hair to extend therethrough creating a natural hairline [emphasis added]*

CLAIM 7—*a detachable wig portion mounted to the main wig portion and extending over the opening and designed to be readily removed to pull the user's hair therethrough to create a natural hairline [emphasis added]*

There is no contradiction with the specification and the claims should be allowable in their present form. However, to make the claims crystal clear, applicant has amended Claim 1 to insert “when removed” and Claim 7 to insert “upon removal”. The claims are entirely consistent with the specification and contain allowable subject matter as noted previously by the Examiner.

SUMMARY

Applicant has amended independent Claims 1 and 7 and presented discussion to overcome the rejection under 35 U.S.C. 112. Reconsideration and allowance of this application with Claims 1, 3, 4 and 7 is respectfully requested.

Respectfully submitted,
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